

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

19

JEFF HATCH-MILLER
Chairman
WILLIAM MUNDELL
Commissioner
MIKE GLEASON
Commissioner
KRISTIN MAYES
Commissioner
GARY PIERCE
Commissioner

2007 FEB 26 A 11:31

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE PETITION OF
ESCHELON TELECOM OF ARIZONA, INC.
FOR ARBITRATION WITH QWEST
CORPORATION, PURSUANT TO 47 U.S.C.
SECTION 252 OF THE FEDERAL
TELECOMMUNICATIONS ACT OF 1996

DOCKET Nos. T-03406A-06-0572
T-01051B-06-0572

MOTION AND CONSENT OF
LOCAL COUNSEL FOR
PRO HAC VICE ADMISSION OF
JOHN M. DEVANEY

The undersigned counsel, pursuant to Rule 33(c) and (d), Rules of the Supreme Court,
hereby applies to admit John M. Devaney as counsel *pro hac vice* in this docket. Pursuant to
Rule 33(d)(3)(c) Rules of the Supreme Court, the following exhibits are attached hereto:

1. The original verified application;
2. The State Bar of Arizona Notice of Receipt.

The filing fee required by Rule 33(d) has been submitted to the State Bar of Arizona.
Norman G. Curtright hereby agrees to serve as designated local counsel for the subject docket.
A proposed Order admitting John M. Devaney accompanies this motion.

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Arizona Corporation Commission
DOCKETED

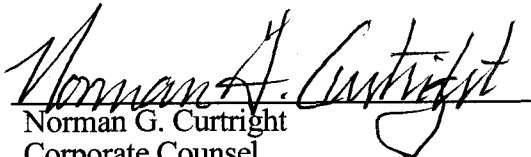
FEB 26 2007

DOCKETED BY

ne

1 DATED this 26th day of February, 2007.

2
3 QWEST CORPORATION

4
5
6 By: 
7 Norman G. Curtright
8 Corporate Counsel
9 20 East Thomas Road, 16th Floor
Phoenix, Arizona 85012
Telephone: (602) 630-2187

10 ORIGINAL and 13 copies hand-delivered
11 for filing this 26th day of February, 2007, to:

12 Docket Control
13 ARIZONA CORPORATION COMMISSION
14 1200 West Washington Street
Phoenix, AZ 85007

15 Copy of the foregoing hand-delivered
16 this 26th day of February, 2007, to:

17 The Honorable Jane Rodda
18 Administrative Law Judge
19 Hearing Division
20 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

21 Maureen Scott, Esq.
22 Legal Division
23 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

24 Ernest G. Johnson, Esq.
25 Director, Utilities Division
26 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

1 Copy of the foregoing mailed
2 this 26th day of February, 2007 to:

3 Michael W. Patten
4 J. Matthew Derstine
5 ROSHKA DEWULF & PATTEN, PLC
6 One Arizona Center
7 400 East Van Buren Street, Suite 800
8 Phoenix, Arizona 85004
9 Email: mpatten@rdp-law.com
10 mderstine@rdp-law.com
11

12
13
14 Karen L. Clauson
15 Senior Director of Interconnection/
16 Senior Attorney
17 Eschelon Telecom, Inc.
18 730 2nd Avenue South, Suite 900
19 Minneapolis, Minnesota 55402
20 Email: klclauson@eschelon.com
21
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23
24
25
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Diane Hyman

1
2 **BEFORE THE ARIZONA CORPORATION COMMISSION**

3 **JEFF HATCH-MILLER**

Chairman

4 **WILLIAM MUNDELL**

Commissioner

5 **MIKE GLEASON**

Commissioner

6 **KRISTIN MAYES**

Commissioner

7 **GARY PIERCE**

Commissioner

8
9 **IN THE MATTER OF THE PETITION OF**
10 **ESCHELON TELECOM OF ARIZONA, INC.**
11 **FOR ARBITRATION WITH QWEST**
12 **CORPORATION, PURSUANT TO 47 U.S.C.**
13 **SECTION 252 OF THE FEDERAL**
14 **TELECOMMUNICATIONS ACT OF 1996**

DOCKET Nos. T-03406A-06-0572
T-01051B-06-0572

ORDER FOR *PRO HAC VICE*
ADMISSION OF JOHN M. DEVANEY

15 Based upon the motion for admission *Pro Hac Vice* of John M. Devaney and the consent
16 to appear as local counsel by Norman G. Curtright,

17 **IT IS HEREBY ORDERED** that John M. Devaney be admitted *Pro Hac Vice* as
18 counsel for Qwest Corporation in Docket Nos. T-03406A-06-0572, T-01051B-06-0572, in the
19 above-entitled matter.

20 DATED this ____ day of _____, 2007.

21
22
23
24 Jane Rodda, Administrative Law Judge
25
26



For Official Use Only

App# 1003098

Pro Hac ID # A5485

**NONRESIDENT ATTORNEY
PRO HAC VICE APPLICATION**

RECEIVED

FEB 16 2007

Name: John M. Devaney
Residence Address: 3428 Patterson Street, NW, Washington, DC 20015

State Bar of Arizona
Resource Center Department

Office Address: Perkins Coie LLP, 607 14th Street, NW, Washington, DC 20005

Telephone: (202) 434-1624

Fax: (202) 434-1690

Title of cause or case where applicant seeks to appear: In the Matter of the Petition of Eschelon Telecom, Inc. of Arizona, Inc. for Arbitration with Qwest Corporation, Pursuant to 47 U.S.C. Section 252 of the Federal Telecommunications Act of 1996

Docket Number: 06B-497T

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Qwest Corporation

Courts to Which Applicant Has Been Admitted:

United States Court of Appeals for the Federal Circuit

District of Columbia Court of Appeals

United States District Court for the District of Columbia

Date of Admission:

05/24/90

12/19/83

03/06/89

Bar Number:

375465

375465

375465

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is / ☒ is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where
Discipline Matter Pending:

Nature of Matter
Under Investigation:

Name / Address of
Disciplinary Authority:

Applicant ☐ has / ☒ has not (select one) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:	Docket #:	Court or Agency:	Application Granted? (Y/N)
<u>In the Matter of the Petition of DIECA Communications, Inc. dba COVAD Communications Company for Arbitration of an Interconnection Agreement with Qwest Corporation Arizona Corporation Commission v. Qwest LD Corporation</u>	<u>T-03632A-04-0425</u>	<u>Arizona Corporation Commission</u>	<u>Yes</u>
<u>In the Matter of the Application of MCIMetro Access Transmission Services, LLC, for Approval of an Amendment for elimination of UNE-P and Implementation of Batch Hot Cut Process and QPP Master Services</u>	<u>T-04190A-04-0904</u> <u>T-01051B-04-0540; T-03574A-04-0540</u>	<u>Arizona Corporation Commission</u> <u>Arizona Corporation Commission</u>	<u>Yes</u> <u>Yes</u>

Name of local counsel: Norman G. Curtright
State Bar of Arizona Number: 022848
Address: 20 E. Thomas Road, 16th Floor, Phoenix, AZ 85012

Telephone : (602) 630-2187 Fax: (303) 383-8484

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Qwest Corporation</u>	<u>Norman G. Curtright</u>	<u>20 E. Thomas Road, 16th Floor, Phoenix, AZ 85012</u>
<u>Qwest Corporation</u>	<u>Jason D. Topp</u>	<u>200 South 5th Street, Suite 2200, Minneapolis, MN 55402</u>
<u>Eschelon Telecom</u>	<u>Karen L. Clauson</u>	<u>730 2nd Ave., South, Suite 900, Minneapolis, MN 55402</u>
<u>Eschelon Telecom</u>	<u>Gregory Merz</u>	<u>Gray Plant Mooty, 500 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402</u>
<u>Eschelon Telecom</u>	<u>Michael Patten and J. Matthew Derstine</u>	<u>Roshka Dewulf & Patten, PLC, One Arizona Center, 400 East Van Buren Street, Suite 800, Phoenix, AZ 85004</u>

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$391.00.

This case or cause ☐ is / ☒ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF District of Columbia)

County of _____) ss.

I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 12/20/06

Applicant's signature

John M. Deveney

SUBSCRIBED AND SWORN TO before me this 20th day of December, 2006, by

John M. Deveney
Name of Applicant

Claudette B. Henry

My Commission Expires June 30, 2008

Notary Public

Claudette B. Henry

Notary Public, Washington, D.C.

NOTE – As the application requires original signatures of the applicant and notary, this application cannot be filed electronically. Please submit all documents and fees by mail to:

State Bar of Arizona
Pro Hac Vice
4201 N. 24th Street, Suite 200
Phoenix, AZ 85016

For further information, please contact our Resource Center at 602-340-7239.

Arizona Corporation Commission

In the Matter of the Petition of Eschelon Telecom Inc.,)
Plaintiff,)

CASE # 06B-497T

v.)

SBA App # 1003098

Defendant.)

NOTICE OF RECEIPT OF
COMPLETE APPLICATION

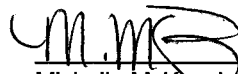
NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has
received the verified application and fee from John M. Devaney.

In addition to this application, applicant has made the following applications to appear pro hac vice,
pursuant to Rule 38 (a), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
Dieca Communications	AZ Corporation Commission	1/19/05	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
MCI Metro Access A Transmission	AZ Corporation Commission	1/18/06	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
AZ Corp Commission Utilities Division v. Qwest LD Corp.	AZ Corporation Commission	1/05/05	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of
Good Standing are attached hereto.

DATED this 21st day of February 2007


Michelle McKenzie
Resource Center
State Bar of Arizona

Original Mailed on this 21st day of February 2007 to:

Norman G. Curtright
20 E. Thomas Rd 16th Fl
Phoenix, AZ 85012-0001